

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 NSC-05 CIAE-00 DODE-00
PM-05 H-01 INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15
NSCE-00 SSO-00 USIE-00 INRE-00 /078 W
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O 091053Z MAR 78
FM AMEMBASSY CAPE TOWN
TO SECSTATE WASHDC IMMEDIATE 6911
USMISSION USUN NEW YORK IMMEDIATE
INFO AMEMBASSY DAR ES SALAAM IMMEDIATE
AMEMBASSY GABORONE IMMEDIATE
AMEMBASSY LAGOS IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY LUSAKA IMMEDIATE
AMEMBASSY MAPUTO IMMEDIATE
AMEMBASSY PRETORIA IMMEDIATE

LIMITED OFFICIAL USE SECTION 1 OF 2 CAPE TOWN 0460

E.O. 11652: ADS, DECLASSIFY UPON RECEIPT
TAGS: PDEV, RH
SUBJECT: RHODESIAN CONSTITUTIONAL AGREEMENT OF MARCH 3, 1978

REF: (A) CAPE TOWN 0416, (B) STATE 57643,

WE HAVE NOW RECEIVED THE PUBLISHED TEXT OF THE RHODESIAN
CONSTITUTIONAL AGREEMENT OF MARCH 3, 1978. THE AGREEMENT
COMBINES THE TWO DOCUMENTS REPORTED REFTEL A AND IN THE ORDER
REPORTED. THAT SECTION OF THE TEXT PROVIDED BY REFTEL A
UNDER THE RUBRIC "RHODESIAN CONSTITUTIONAL AGREEMENT" IS
UNCHANGED. THE SUCCEEDING PORTION OF THE PUBLISHED TEXT
CONTAINS SOME DIFFERENCES FROM REFTEL A VERSION AND IS REPEATED
IN FULL BELOW.

QUOTE: D. IT IS ALSO HEREBY AGREED THAT THE TRANSITIONAL
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GOVERNMENT WILL COMPRISE AN EXECUTIVE COUNCIL AND A MINISTERIAL
COUNCIL AND THE FOLLOWING PROVISIONS WILL APPLY THERETO:

1. EXECUTIVE COUNCIL
(A) COMPOSITION

THE EXECUTIVE COUNCIL WILL BE COMPOSED OF THE PRIME MINISTER
AND THREE BLACK MINISTERS, BEING THE HEADS OF THOSE DELEGATIONS

ENGAGED IN THE NEGOTIATIONS. THE MEMBERS WILL TAKE TURNS IN PRESIDING AS CHAIRMAN OF THE EXECUTIVE COUNCIL IN SUCH SEQUENCE AND FOR SUCH PERIOD AS THAT COUNCIL MAY DETERMINE. DECISIONS OF THE EXECUTIVE COUNCIL WILL BE BY CONSENSUS.

(B) FUNCTIONS

(I) THE EXECUTIVE COUNCIL WILL BE RESPONSIBLE FOR ENSURING THAT THE FUNCTIONS GIVEN TO, AND THE DUTIES IMPOSED ON, THE TRANSITIONAL GOVERNMENT BY THE CONSTITUTIONAL AGREEMENT ARE DEALT WITH AS EXPEDITIOUSLY AS POSSIBLE. IT WILL TAKE POLICY DECISIONS IN CONNECTION WITH THE PREPARATION AND DRAFTING OF THE NEW CONSTITUTION AND THE OTHER MATTERS SET OUT IN SECTIONS B AND C OF THIS AGREEMENT AND WITH ANY OTHER MATTERS WHICH MAY ARISE.

(II) THE EXECUTIVE COUNCIL MAY REFER THE MATTERS SET OUT IN SECTIONS B AND C OF THIS AGREEMENT, OR ANY OTHER MATTER, TO THE MINISTERIAL COUNCIL FOR EXAMINATION AND RECOMMENDATION.

(III) THE EXECUTIVE COUNCIL WILL REVIEW DECISIONS OR RECOMMENDATIONS OF THE MINISTERIAL COUNCIL AND MAY CONFIRM SUCH DECISIONS OR RECOMMENDATIONS OR REFER THEM BACK TO THE MINISTERIAL COUNCIL FOR FURTHER CONSIDERATION.

2. MINISTERIAL COUNCIL

(A) COMPOSITION

THE MINISTERIAL COUNCIL WILL BE COMPOSED OF EQUAL NUMBERS OF LIMITED OFFICIAL USE

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BLACK AND WHITE MINISTERS. THE BLACK MINISTERS WILL BE NOMINATED IN EQUAL PROPORTIONS BY THE HEADS OF THOSE DELEGATIONS ENGAGED IN THE NEGOTIATIONS. THE WHITE MINISTERS WILL BE NOMINATED BY THE PRIME MINISTER. THE CHAIRMANSHIP OF THE MINISTERIAL COUNCIL WILL ALTERNATE BETWEEN BLACK AND WHITE MINISTERS. THE PRIME MINISTER WILL NOMINATE WHICH WHITE MINISTER SHALL TAKE THE CHAIR AND THE HEADS OF THOSE DELEGATIONS ENGAGED IN THE NEGOTIATIONS WILL NOMINATE WHICH OF THE BLACK MINISTERS SHALL TAKE THE CHAIR IN THE SEQUENCE AND FOR THE PERIOD DETERMINED BY THE MINISTERIAL COUNCIL.

(B) FUNCTIONS

(I) THE MINISTERIAL COUNCIL WILL OPERATE ON THE CABINET SYSTEM. FOR EACH PORTFOLIO, OR GROUP OF PORTFOLIOS, THERE WILL BE A BLACK AND A WHITE MINISTER WHO WILL SHARE RESPONSIBILITY.

(II) THE MINISTERIAL COUNCIL WILL BE RESPONSIBLE FOR INITIATING LEGISLATION AND FOR SUPERVISING THE PREPARATION OF SUCH LEGISLATION AS MAY BE DIRECTED BY THE EXECUTIVE COUNCIL.

(III) THE MINISTERIAL COUNCIL WILL MAKE RECOMMENDATIONS TO THE EXECUTIVE COUNCIL ON ALL MATTERS REFERRED TO IT BY THE

EXECUTIVE COUNCIL AND ON ANY OTHER MATTER IT THINKS FIT.

(IV) DECISIONS OF THE MINISTERIAL COUNCIL WILL BE MAJORITY VOTE
AND SUBJECT TO REVIEW BY THE EXECUTIVE COUNCIL.

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3. PARLIAMENT

(A) PARLIAMENT WILL CONTINUE TO FUNCTION DURING THE LIFE OF THE
TRANSITIONAL GOVERNMENT AND WILL MEET FOR THE FOLLOWING PURPOSES
AS AND WHEN THE EXECUTIVE COUNCIL CONSIDERS IT SHOULD BE
SUMMONED:

(I) TO PASS A CONSTITUTION AMENDMENT ACT, ENABLING MINISTERS
WHO HAVE NOT BEEN ELECTED TO PARLIAMENT TO SERVE FOR PERIODS IN
EXCESS OF FOUR MONTHS.

(II) TO PASS LEGISLATION FOR THE REGISTRATION OF VOTERS.

(III) TO PASS THE 1978/79 BUDGET.

(IV) TO ENACT ANY LEGISLATION OR DEAL WITH ANY OTHER MATTER BROUGHT
FORWARD BY THE TRANSITIONAL GOVERNMENT (E.G. FOR THE FURTHER
REMOVAL OF DISCRIMINATION.)

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(V) TO ENACT THE NEW CONSTITUTION.

(VI) TO NOMINATE 16 WHITES FOR ELECTION BY VOTERS ON THE COMMON ROLL TO EIGHT OF THE SEATS RESERVED FOR WHITES.

(B) THE WORK OF THE VARIOUS SELECT COMMITTEES AND OF THE SENATE LEGAL COMMITTEE WILL PROCEED AS NORMAL.

E. IT IS ALSO HEREBY AGREED THAT INDEPENDENCE DAY SHALL BE THE 31ST DECEMBER, 1978.

SIGNED AT SALISBURY THIS THIRD DAY OF MARCH, 1978. UNQUOTE
BOWDLER

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